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Based on the following remarks, Applicant respectfully requests reconsideration and allowance of the pending claims.

II. CLAIM REJECTIONS

Under 35 U.S.C. § 102

The Office Action has rejected claims 1, 4, and 7 under 35 U.S.C. § 102(e) as being anticipated by published application U.S. 2004/0203388 to *Henry et al.* (hereinafter *Henry*). The Office Action states all elements of the pending claims can be found primarily in Fig. 3 and the associated text portion of *Henry*. Applicant respectfully traverses this rejection and requests reconsideration and withdrawal thereof.

A. Remarks regarding patentability of pending Claim 1.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *See* MPEP § 2131; *Verdegaal Bros. V. Union Oil Co. of Calif.*, 814 F.2d 628, 631 (Fed. Cir. 1987).

With regard to pending Claim 1 the Office Action, respectfully, incorrectly states *Henry* includes the step of "communicating wireless signals to the wireless peripheral device, the wireless signals utilizing more than one wireless technology standard" as exhibited in Figure 3 and the associated text portion of *Henry*. Rather Figure 3 of *Henry* demonstrates that if "a second RFTR response is received" then the first RFTR "establish[es] a wireless connection with said second RFTR." There the first RFTR will never transmit the request for the second RFTR over a second channel because a wireless connection has already been established. Paragraph [0007] specifically states that during the "discovery process, the first RFTR may transmit a request for all unassociated RF peripheral devices to respond over a first channel" and "If the

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response from the second RFTR is not received, the first RFTR may transmit the request for all unassociated RF peripheral devices to respond over a second channel.” (emphasis added). This teaches that if a response from a second RFTR is received then a request does not have to be transmitted over a second channel unless there are other RF peripheral devices to detect.

Paragraphs [0028] and [0030] of *Henry* echoes the relationship between the causality of not receiving a response from a second RFTR and sending a response over a second channel.

Further, it is not the purpose of the multiple channels in *Henry* to try to conform to a different wireless technology standard to establish a means of communication, but rather to maintain reliable communication after the “discovery process” is completed. (Paragraph [0007]). The secondary channels of *Henry* are only used when there is significant interruption or a primary channel is unavailable. Additionally, the system described in *Henry* does not address the problems created when a wireless peripheral device is required to use a certain channel or wireless technology standard. If a wireless peripheral device was required to use a certain channel then the system in *Henry* would not operate in the manner disclosed in the application.

Respectfully, the Office Action also incorrectly states the system in *Henry* discloses “forwarding the communication to the wireless peripheral device using a single wireless technology standard” as described in pending Claim 1. In the situation where the system of *Henry* does need to use a second channel, it is not necessary that the system stay on a single channel to continue to talk to the wireless peripheral device. Rather, the wireless peripheral devices can be shuffled among any number of channels as needed to reestablish communications as described in Figure 5 and the accompanying text. This fails to teach or suggest a limitation of using a single wireless technology standard.

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B. Remarks regarding patentability of pending Claim 4.

In addition to the reasoning set forth against Claim 1, the Office Action also, respectfully, incorrectly states *Henry* discloses a method "further comprising receiving an acknowledgement from the wireless peripheral device, the acknowledgement indicating the single wireless technology standard utilized by the wireless peripheral device." (Present Pending Claim 4). While *Henry* does discuss receiving a response from a second RF/IR, *Henry* does not address "indicating the single wireless technology standard utilized by the wireless peripheral device." Rather than a single wireless technology standard, the system in *Henry* uses multiple channels and does not determine a single wireless technology standard. Again, the ability to shuffle among a wireless peripheral device among multiple channels fails to meet the limitation of establishing a "single wireless technology standard utilized by the wireless peripheral device" as is described in the present Claim 4. As the same arguments are used as a basis for rejection of Claim 1 and Claim 4, all arguments regarding the patentability of Claim 1 also pertain to the patentability of Claim 4.

C. Remarks regarding patentability of pending Claim 7.

The Office Action sets forth the same arguments stated in the rejection of Claim 1 as Claim 7. In addition to the aforementioned arguments regarding the patentability of Claim 1, Claim 7 has the additional limitation of having "multiple wireless systems utilizing multiple wireless technology standards." While the system of *Henry* does address having multiple wireless peripheral devices, it does not address the concerns that abound from having to deal with multiple base station transmitters or transmitters physically connected to the computer. *Henry* does not mention having multiple transmitters because their existence would be

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superfluous. Thus the limitation of having "multiple wireless systems utilizing multiple wireless technology standards" as stated in pending Claim 7 is not taught by *Henry*.

Accordingly, Applicant respectfully requests the Office Action withdraw the rejection applied against Claims, 1, 4, and 7 and issue a Notice of Allowance for the present application.

Under 35 U.S.C. § 103(a)

The Office Action has rejected claims 5, 6, 10, 11, 12, and 16 under 35 U.S.C. §103(a) as being unpatentable over *Henry* in view of US 2004/0152457 to *Goldstein et al.* (hereinafter *Goldstein*). The Office Action states that *Goldstein* discloses a method wherein the step of communicating the wireless signals comprises wirelessly communicating the wireless signals using more than one wireless technology standard. Applicant respectfully traverses this rejection and requests reconsideration and withdrawal thereof.

To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. See MPFP § 2142, *See also, In re Dembiczak*, 175 F.3d 994 (Fed. Cir. 1999); *In re Rouffet*, 149 F.3d 1350, 1355 (Fed. Cir. 1998); *Pro-Mold & Tool Co. v. Great Lakes Plastics, Inc.*, 75 F.3d 1568, 1573 (Fed. Cir. 1996). Each of the Office Action's rejections will now be discussed in view of the above requirements.

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A. Remarks regarding patentability of Claims 5, 6, 10-12, and 16.

The Office Action states "it would have been obvious for one skilled in the art to implement *Henry et al.*'s wireless signals, as taught by *Goldstein et al.*, in order to communicate wirelessly with plural technologies so that the user is able to access plural peripheral devices." *Goldstein* does demonstrate the use of various wireless communications connections. However, Applicant respectfully directs the reader to the following: (1) it is not necessary for the system of *Henry* to use more than one channel; (2) the purpose of *Henry* is to maintain reliable communication after a "discovery process" (Paragraph [0007]); (3) *Henry* does not address the problems arising when a wireless peripheral device must use a certain channel; (4) the system of *Henry* is not required to stay on a single channel to talk to a wireless peripheral device; and (5) with respect to pending Claims 7, 10-12, and 16, *Henry* does not disclose multiple wireless systems responsible for sending the original signal.

Therefore, Applicant respectfully submits that pending Claims 5, 6, 10-12, and 16 can not be said to be obvious over *Henry* in view of *Goldstein* because there is no suggestion or motivation to modify the references or to combine them to reach Applicant's invention, nor do the prior art references, when combined, teach or suggest all the claims limitations as required by MPEP § 2142.

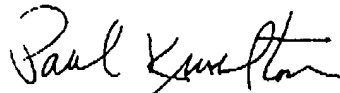
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IV. CONCLUSION

For at least the above reasons, Applicant respectfully requests allowance of the claims pending in this case and issuance of a patent containing these claims in due course. Applicant's counsel regrets that he was not able to schedule a telephone interview with Examiner Phu prior to submitting the present arguments within the present extension period. Should Examiner Phu believe that a telephone conference would be useful to resolve any concerns and move this application to allowance, Examiner Phu is respectfully requested to contact the undersigned at the telephone number listed below. Otherwise, Applicant respectfully requests timely issuance of a Notice of Allowance for the present application.

Respectfully submitted,



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